

UNITED STATES DEPARTMENT OF TRANSPORTATION
NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of: *
*
GROUNDING OF THE FAST * Docket No.
FERRY FINEST in SANDY HOOK BAY * DCA-01-MM-015
ON JANUARY 4, 2001 *

INTERVIEW OF:

CAPTAIN E. MCKENNA

PRESENT:

THEODORE WHITE

ORIGINAL

P R O C E E D I N G S

MR. WHITE: This is the interview of Captain McKenna in the offices of his attorney.

Present is Ted White and also Thomas Russo.

And I do have your permission to record this?

CAPTAIN MCKENNA: Yes.

MR. WHITE: And you are asking for a copy of the recording.

CAPTAIN MCKENNA: Yes.

MR. WHITE: What is your marine background, as far as marine work history, if you will?

CAPTAIN MCKENNA: Deckhand on fishing vessels, deckhand on tugboats. Ferry captain for two different ferry companies.

MR. WHITE: When did you start as far as deckhand on a fishing vessel?

CAPTAIN MCKENNA: Early '90s.

MR. WHITE: How long were you on the fishing vessels?

CAPTAIN MCKENNA: On and off part time from '90 until still present. Mostly before '94.

MR. WHITE: What type of fishing vessels?

CAPTAIN MCKENNA: Charter boats, and head boats.

1 MR. WHITE: Okay. How about your experience
2 on tugs?

3 CAPTAIN MCKENNA: From '94 until '98.

4 MR. WHITE: And who with?

5 CAPTAIN MCKENNA: McAllister Marine, Barker
6 Marine, Buchanan Marine.

7 MR. WHITE: Okay. Here in the New York area?

8 CAPTAIN MCKENNA: McAllister was offshore,
9 down south and Barker in the New York area.

10 MR. WHITE: Okay. And which ferry companies?

11 CAPTAIN MCKENNA: New York Waterway and New
12 York Fast Ferry.

13 MR. WHITE: What did you do with the New York
14 Waterway?

15 CAPTAIN MCKENNA: Captain.

16 MR. WHITE: And that started in '98?

17 CAPTAIN MCKENNA: Ninety seven.

18 MR. WHITE: Ninety seven.

19 What size ferry did you, were you operating
20 with the New York Waterway?

21 CAPTAIN MCKENNA: I believe is a 98 foot,
22 monohall.

23 MR. WHITE: Okay. It is not considered a
24 fast ferry though?

25 CAPTAIN MCKENNA: No.

1 MR. WHITE: Okay. And when did you start
2 working for New York Fast Ferry?

3 CAPTAIN MCKENNA: September of '99.

4 MR. WHITE: Did you start out as a captain?

5 CAPTAIN MCKENNA: No. I started as a
6 deckhand, and then I made, then captain.

7 MR. WHITE: What was the time sequence for
8 making captain?

9 CAPTAIN MCKENNA: A month between.

10 MR. WHITE: So, like in the Spring, sometime
11 as far as --

12 CAPTAIN MCKENNA: I am not 100 percent, no.
13 No.

14 MR. WHITE: Okay. Did you make, when did you
15 become captain?

16 CAPTAIN MCKENNA: Late April, early May.

17 MR. WHITE: Okay. What kind of training have
18 you had outside, if you will, on the job training? Any
19 schools or --

20 CAPTAIN MCKENNA: In reference?

21 MR. WHITE: I am sorry, as far as marine
22 training, such as, you know, basic fire fighting or --

23 CAPTAIN MCKENNA: Basic, I have had basic fire
24 fighting in Fort Lauderdale. I had Medic first aid,
25 personal survivor, social responsibility. That is it

1 pretty much.

2 MR. WHITE: Okay. How about as far as on the
3 job training goes?

4 CAPTAIN MCKENNA: With Fast Ferry, they start
5 you, when you start there, they start to get you
6 familiar with the systems and the operation of the
7 ferry.

8 MR. WHITE: Did you have any formal courses or
9 is it just on the job, following other people around or
10 what?

11 CAPTAIN MCKENNA: Just on the job.

12 MR. WHITE: Okay. New York Fast Ferry, is
13 that the first time you had any exposure to fast ferry
14 operations?

15 CAPTAIN MCKENNA: Yes.

16 MR. WHITE: So, therefore, the first time with
17 any kind of jet propulsion?

18 CAPTAIN MCKENNA: Yes.

19 MR. WHITE: Okay. With Fast Ferry, once you
20 made captain, what would your normal work schedule be,
21 more typical work schedule? As far as on a weekly
22 basis?

23 CAPTAIN MCKENNA: Three days a week.

24 MR. WHITE: Any particular days?

25 CAPTAIN MCKENNA: It varies, depending on the

1 schedule. Different captains, it is a seniority bid,
2 whatever is left when it gets to me.

3 MR. WHITE: You say left when it gets to you,
4 you are junior.

5 CAPTAIN MCKENNA: When I made the captain, I
6 was, now, I am second.

7 MR. WHITE: How many captains does New York
8 Fast Ferry has?

9 CAPTAIN MCKENNA: Three and a port captain.

10 MR. WHITE: Port captain would be --

11 CAPTAIN MCKENNA: (inaudible)

12 MR. WHITE: Okay. What I would like to do
13 now is get a little bit more specific on January 4th.
14 Okay.

15 When did you start that morning, what time?

16 CAPTAIN MCKENNA: Zero, four thirty.

17 MR. WHITE: Is that when you got to
18 Shrewsbury?

19 CAPTAIN MCKENNA: Yes, sir.

20 MR. WHITE: And normal routine?

21 CAPTAIN MCKENNA: Two runs in the morning, we
22 tie up in Atlantic Basin, sit there until early
23 afternoon to go back out and do three evening runs.

24 MR. WHITE: Okay. What do you normally do
25 during the mid day break at Atlantic Basin?

1 CAPTAIN MCKENNA: Eat lunch, I might read for
2 a little while, and then I usually climb into a
3 sleeping bag and --

4 MR. WHITE: Does the captain get privileges as
5 far as sleeping in the rack there?

6 CAPTAIN MCKENNA: No, everybody stays down
7 below. There is only one rack, so, we all are in the
8 same area.

9 MR. WHITE: Okay. Let me jump back to your
10 history again, just briefly.

11 Outside of the marine environment, what have
12 you done as far as working?

13 CAPTAIN MCKENNA: I was a juvenile detention
14 officer for the County of ^N ^J ~~May~~ ^A ~~moth~~, New Jersey.

15 MR. WHITE: What kind of education have you
16 had?

17 CAPTAIN MCKENNA: High school.

18 MR. WHITE: Okay. Sorry. Ordinarily I
19 wouldn't interrupt you.

20 Jumping back to the 4th of January. You
21 arrived at 52 Shrewsbury about 4:30. Had a normal
22 morning routine. Was there only one boat running then?

23 CAPTAIN MCKENNA: Yes.

24 MR. WHITE: Okay. What is the typical route
25 or the normal route coming back from Pier 11 back down

1 to Sandy Hook Bay, as far as the route through the
2 Waterways?

3 CAPTAIN MCKENNA: I would come out of the
4 upper Bay into the lower Bay, split Chapel Hill and
5 Ambrose and continue straight for the tip of Sandy
6 Hook. At Sandy Hook, we run from the 17 buoy more or
7 less straight into the number four, to the, I am sorry,
8 number two, and then take the channel right through to
9 the marina.

10 MR. WHITE: It looks on the chart a straight
11 shot --

12 CAPTAIN MCKENNA: Straight line.

13 MR. WHITE: From 17.

14 Okay. You have done, on 4th of January you,
15 in fact, completed one afternoon trip.

16 CAPTAIN MCKENNA: Yes.

17 MR. WHITE: Is that correct?

18 CAPTAIN MCKENNA: Yes.

19 MR. WHITE: On that trip what was the, was
20 there anything abnormal on that, on that first trip?
21 Where you able to go straight from 17 to 2? And what
22 kind of ice did you encounter then?

23 CAPTAIN MCKENNA: There was ice. More or less
24 a straight line, straight line in. Well, we went in on
25 our more or less normal standard course. And, you

1 know, when encountered the ice, just continued straight
2 through.

3 MR. WHITE: On that first afternoon run, that
4 was daylight, completely daylight, is that correct?

5 CAPTAIN MCKENNA: I am not 100 percent sure.
6 It was, it was light on the return. I am not sure as
7 to the run back out to the, back out to New York. When
8 we left the city it was light coming in.

9 MR. WHITE: So, the approach into --

10 CAPTAIN MCKENNA: Sandy Hook was light.

11 MR. WHITE: -- Sandy Hook was light.

12 Any problems seeing buoys then? I am talking
13 now, obviously buoys two, three, four, the ones in the
14 Shrewsbury River approach.

15 CAPTAIN MCKENNA: Yes. The number two was
16 visible, the rest of them weren't.

17 MR. WHITE: At all, couldn't see them at all?

18 CAPTAIN MCKENNA: No.

19 MR. WHITE: Did you make any approach in, as
20 you said, the afternoon was a fairly normal approach.

21 CAPTAIN MCKENNA: Yes.

22 MR. WHITE: What aids do you use as far as
23 navigation aids?

24 CAPTAIN MCKENNA: Daylight, radar, find a
25 site, our approach at the buoys were, were only a

1 couple of hundreds off of our actual dock. We can
2 actually see the dock and the marina.

3 MR. WHITE: What do you, let's say take from
4 17 down, have you steered to a set course?

5 CAPTAIN MCKENNA: Daylight would just be in
6 line of sight. In the evening on radar there is a land
7 mask[?] that is unique to the marina area and the buoys
8 line up right on it. So, it is actually a straight
9 line once you come through, the 17 inside the tip of
10 the Hook, right to --

11 MR. WHITE: You can pick it up --

12 CAPTAIN MCKENNA: You can pick it.

13 MR. WHITE: -- on the radar.

14 CAPTAIN MCKENNA: On the land mask[?] and the
15 buoys.

16 MR. WHITE: Okay. So, you typically pick up
17 the buoys on radar from 17?

18 CAPTAIN MCKENNA: Yes.

19 MR. WHITE: Which radar do you use when you
20 are navigating?

21 CAPTAIN MCKENNA: It is ^{VNO}Furnete. It is 12
22 inch monitor.

23 MR. WHITE: You typically navigate with the
24 radar then?

25 CAPTAIN MCKENNA: Yes.

1 MR. WHITE: How about as far as --

2 CAPTAIN MCKENNA: You will visually check what
3 you are coming up on, you know, look back and forth
4 visible in front of you, whatever is on the chart and
5 the radar, you make sure --

6 MR. WHITE: (inaudible)

7 CAPTAIN MCKENNA: If there are six dots, and
8 you know there are only three, you know, there is more,
9 you try to, I mean, I navigate with the radar. I mean,
10 I can see what is in front of me. You know, I look
11 over.

12 MR. WHITE: Okay. But, your primary
13 instrument then is the radar.

14 CAPTAIN MCKENNA: Yes.

15 MR. WHITE: Okay. Do you look, do you ever
16 have occasion to look over at the GPS?

17 CAPTAIN MCKENNA: The GPS, you can't, I can't
18 see what it is --

19 MR. WHITE: It is too far away.

20 CAPTAIN MCKENNA: Right.

21 MR. WHITE: Any problem with the generators in
22 the ice on that first run?

23 CAPTAIN MCKENNA: They shut them down, as to
24 avoid the overheating problem.

25 MR. WHITE: Okay. Do they call up to the, to

1 you and tell you ahead of time they are going to be
2 shutting down the generators?

3 CAPTAIN MCKENNA: Yes. They ask you to relay
4 to them when we are at the edge of the ice. Once you
5 relay to them, then they relay to you that they are
6 going to shut them off.

7 MR. WHITE: Okay. Once they shut off the
8 generators, what do you lose?

9 CAPTAIN MCKENNA: Water jet monitor, chart
10 plotter, and the mates' 20 inch radar, color radar.

11 MR. WHITE: Okay. Talking with Chris
12 Johnson, he thought there was an UPS alert,
13 interreputable power supply. It wouldn't be a chart
14 plotter, that be the ship --

15 CAPTAIN MCKENNA: The radar, the radar and the
16 ship's management system, the monitoring system for the
17 engines stays up and so does the 24 volt radar.

18 MR. WHITE: Okay. The one in front of you.

19 CAPTAIN MCKENNA: Right in front the master.

20 MR. WHITE: Okay. So, then, but the mates'
21 radar would go down when the generators are shut down?

22 CAPTAIN MCKENNA: Yes.

23 MR. WHITE: And the chart plotter as well.

24 CAPTAIN MCKENNA: Yes.

25 MR. WHITE: Okay. And then on the second

1 trip, you picked up, first off, let me double check and
2 make sure. What I have here is a copy of the ship's
3 log. I just want to make sure that you think this is
4 the log?

5 CAPTAIN MCKENNA: Yes.

6 MR. WHITE: Okay. There is a copy that was
7 faxed over at the Coast Guard. Okay.

8 Who makes the entries in the log?

9 CAPTAIN MCKENNA: Either myself or the mate.

10 MR. WHITE: Okay. This down here on the
11 bottom, is just keeping track of people's time?

12 CAPTAIN MCKENNA: Yes.

13 MR. WHITE: As far as payroll, I assume,
14 something like that.

15 CAPTAIN MCKENNA: That and more or less just a
16 record of when you were, when you got on the vessel.

17 MR. WHITE: Okay. According to this, when
18 you eventually left Pier 11, I believe that was --

19 CAPTAIN MCKENNA: Yes.

20 MR. WHITE: Okay. And you had 258 passengers
21 onboard?

22 CAPTAIN MCKENNA: Yes.

23 MR. WHITE: I couldn't really get a straight
24 answer, although I really didn't push, one of the crew
25 had a girlfriend onboard. Would that have counted as

1 far as the 258 passengers?

2 CAPTAIN MCKENNA: Yes.

3 MR. WHITE: Okay. Can you walk me through
4 from when you left Pier 11 on the second run until you
5 came to a stop on the sandbar?

6 CAPTAIN MCKENNA: I departed Pier 11, our
7 scheduled departure time. Proceeded out of the upper
8 Bay, into the lower Bay. Approximately halfway across
9 the lower Bay, I had a passenger knock on the door, ask
10 to come in, once inside, he asked if we could have
11 medical services waiting in the Highlands, that he was
12 having an allergic reaction, hives and trouble
13 breathing. At the time he didn't know to what. I had
14 the mate relay to the United States Coast Guard, Sandy
15 Hook, that we had a passenger onboard requesting
16 medical assistance in the Highlands. They arranged for
17 Highlands to have an ambulance waiting. Continued on
18 inside Sandy Hook, at the time the mate was at the
19 wheel. We continued on a course inside the Bay,
20 staying in clear water. I relieved the mate on the
21 approach to the Highlands. I had him stand by with the
22 passenger, who was also in the wheel house. I made
23 arrangements for when we docked with the deck hand to
24 make sure that this passenger was off loaded first.
25 The deck hands took the passenger to the stern. I was

1 in the captain's chair, the mate was also in the
2 bridge, as was Tony Castrillo, the company accountant
3 who was also onboard that trip. I made my turn to head
4 into towards the Highlands, slowed down in my turn to
5 line up on the channel and came to a slow stop.
6 Thought it was ice originally, attempted to back up,
7 and that is when we made the assessment that we were in
8 the sand.

9 MR. WHITE: Okay. All right. How far, in
10 which direction from your normal path of travel, you
11 mentioned you were staying off your normal path a
12 little bit because of the ice, from 17 to 2.

13 CAPTAIN MCKENNA: Yes.

14 MR. WHITE: Which way did you have to stay to
15 avoid the ice?

16 CAPTAIN MCKENNA: We stayed to the west.

17 MR. WHITE: Okay. And do you know about how
18 far?

19 CAPTAIN MCKENNA: No, I don't, I don't have --

20 MR. WHITE: I mean, are we talking just a few
21 yards or are we talking several hundred yards, or are
22 we talking half a mile?

23 CAPTAIN MCKENNA: I would say several hundred
24 yards.

25 MR. WHITE: Okay. And so you would have been

1 headed, instead of straight towards two, then probably
2 more towards what on the shore?

3 CAPTAIN MCKENNA: Atlantic ^{Highland} Island.

4 MR. WHITE: The breakwater?

5 CAPTAIN MCKENNA: Yes.

6 MR. WHITE: Okay. When did you turn back to
7 the east, how far away from the ^{High} Island Breakwater?

8 CAPTAIN MCKENNA: A mile, approximately a
9 mile. I have no --

10 MR. WHITE: Was it on the radar? What were
11 you using to base that turn?

12 CAPTAIN MCKENNA: I was using the radar to
13 base the turn. I would say approximately a mile, where
14 I actually turned.

15 MR. RUSSO: A mile from where?

16 CAPTAIN MCKENNA: The Atlantic ^{High} Island, the
17 Breakwater.

18 MR. WHITE: And at that time were you still
19 out of the ice when you made the turn?

20 CAPTAIN MCKENNA: As I made the turn, I was
21 still out of the ice, yes.

22 MR. WHITE: Okay. Could you see the edge of
23 the ice?

24 CAPTAIN MCKENNA: Yes.

25 MR. WHITE: And as you turned and went in, I

1 assume shortly after the turn, you were in the ice.

2 CAPTAIN MCKENNA: Yes.

3 MR. WHITE: Okay. At what point there did
4 the generators get secured?

5 CAPTAIN MCKENNA: Just before the ice flow.

6 MR. WHITE: Okay. Again, how were they
7 secured?

8 CAPTAIN MCKENNA: They were shutdown.

9 MR. WHITE: Did you call down and tell them
10 you were about to come into the ice? Did they pick up
11 they were in the ice and automatically shut them down?

12 CAPTAIN MCKENNA: They had asked, are we in
13 the ice, at which time I stated, yes, we are entering
14 the ice.

15 MR. WHITE: Okay. As you proceeded east, at
16 that point were you parallel to the shore pretty much
17 at that point?

18 CAPTAIN MCKENNA: I was parallel to the shore,
19 to the breakwater.

20 MR. WHITE: What were you planning on using,
21 could you see the buoys at that point?

22 CAPTAIN MCKENNA: No, I couldn't.

23 MR. WHITE: You couldn't see any of the buoys?

24 CAPTAIN MCKENNA: No.

25 MR. WHITE: Okay. Were you primarily on

1 radar at this point or visual or --

2 CAPTAIN MCKENNA: Radar.

3 MR. WHITE: Okay. What were you planning on
4 using as a turn point, to establish where the turn was?

5 CAPTAIN MCKENNA: The lights in the marina and
6 our dock.

7 MR. WHITE: Okay. How were you going to
8 judge the turn based on that?

9 CAPTAIN MCKENNA: I had the land mask^S on the
10 radar that was --

11 MR. WHITE: What I am saying is, obviously
12 they are 'off to your starboard side, as you are making
13 your --

14 CAPTAIN MCKENNA: Yes.

15 MR. WHITE: At what point were you intending
16 to turn, to turn towards them? Where you waiting until
17 you were directly at abeam, a little bit forward?

18 CAPTAIN MCKENNA:

19 MR. WHITE: Forward.

20 MR. WHITE: Okay. Had you done this before?
21 This wasn't your normal approach?

22 CAPTAIN MCKENNA: No, no, this was --

23 MR. WHITE: Had you done something like this
24 before?

25 CAPTAIN MCKENNA: No.

1 MR. WHITE: Okay. Did you ever see the buoys
2 before your stop on the sandbar?

3 CAPTAIN MCKENNA: No.

4 MR. WHITE: How about afterwards?

5 CAPTAIN MCKENNA: Afterwards, one buoy popped
6 up as the tide continued to --

7 MR. WHITE: Which one, do you know?

8 CAPTAIN MCKENNA: The number three.

9 MR. WHITE: Where was that in relationship to
10 you when you saw it pop up?

11 CAPTAIN MCKENNA: Off my starboard beam.

12 MR. WHITE: At that point you were still --

13 CAPTAIN MCKENNA: Stuck.

14 MR. WHITE: -- stuck, still aground. Okay.

15

16 How far, you say you began your turn towards
17 the marina.

18 CAPTAIN MCKENNA: Yes.

19 MR. WHITE: Before you became, before you ran
20 aground.

21 CAPTAIN MCKENNA: Yes.

22 MR. WHITE: How far in the turn do you think
23 you had got? As far as heading from 090 towards?

24 CAPTAIN MCKENNA: We were heading directly at,
25 on a diagonal line to our, to our dock.

1 MR. WHITE: Okay. So, you had basically
2 completed what you thought --

3 CAPTAIN MCKENNA: My turn.

4 MR. WHITE: At this point was that passenger
5 still up in the bridge area?

6 CAPTAIN MCKENNA: No.

7 MR. WHITE: Okay. So you were basing your
8 turn towards the dock from an easternly direction,
9 based primarily on visual, the lights on the dock?

10 CAPTAIN MCKENNA: Yes.

11 MR. WHITE: Okay. Did you have any concept
12 of how far or what the distance was to Sandy Hook
13 Proper, I don't know the name of that point, basically
14 it would be straight in front of you, before you made
15 the turn, as far as how close you could get to that
16 without running out of the channel either on radar or
17 visual?

18 CAPTAIN MCKENNA: I am not sure actually where
19 you are --

20 MR. WHITE: Let me draw diagram for you.

21 (Pause.)

22 MR. WHITE: This is the Shrewsbury River, as
23 you make the approach here, and then you want to turn
24 to come south, as far as how far away from, you know,
25 shouldn't approach any closer than two miles or three

1 miles, whatever that distance might be here, based on
2 the radar, so that you at the point wouldn't run
3 aground. Had you ever noticed just how far off the
4 point this was?

5 CAPTAIN MCKENNA: Yes, it was --

6 MR. WHITE: This is Sandy Hook coming up here.

7 CAPTAIN MCKENNA: Okay.

8 MR. WHITE: Okay. And basically you came
9 down here to the Highlands, the Breakwater --

10 CAPTAIN MCKENNA: Okay.

11 MR. WHITE: And turned and came in, okay, and
12 then the channel comes here and the number two buoy is
13 here, three is here and four is here.

14 CAPTAIN MCKENNA: Okay.

15 MR. WHITE: As you approach, I don't know what
16 the name of the, as I recall it is a slight, there is a
17 land mass^s coming out here.

18 CAPTAIN MCKENNA: Okay.

19 MR. WHITE: Distance for how close you can get
20 to this and still be in the channel.

21 CAPTAIN MCKENNA: Do I know how far that is?

22 MR. WHITE: Or had you ever noticed that, in
23 other words, were you -- This may have been an
24 alternative to make sure you are in the channel, but
25 you were, in fact, were just guiding on what you could

1 see from the marina, both visually and radar down here.

2 CAPTAIN MCKENNA: Okay.

3 MR. WHITE: My question is a back up mode may
4 have been, and I just, as a suggestion, and again
5 keeping in mind where we are coming from, safety wise
6 as well, one suggestion was made that you could also
7 determine where to turn based on don't get any closer
8 than a specific distance to the Sandy Hook Proper here.
9 Did you have any concept of doing that at all?

10 CAPTAIN MCKENNA: We were a considerable
11 distance from the land mask⁶ that you are --

12 MR. WHITE: Okay. No, what I am saying
13 though is you have got the sandbar right here, right.

14 CAPTAIN MCKENNA: Okay.

15 MR. WHITE: And that sandbar is two and a half
16 miles, one and a half miles, off what shows up here on
17 radar.

18 CAPTAIN MCKENNA: Okay.

19 MR. WHITE: Okay. So, that as long as you
20 stayed more than one and a half miles and that is a
21 hypothetical number, as long as you stayed one and a
22 half miles away from the land mask here, you would not
23 run into the sandbar.

24 CAPTAIN MCKENNA: I --

25 MR. WHITE: I can tell, the answer is no, I

1 can tell from the puzzled expression on your face.

2 CAPTAIN MCKENNA: Yes, I am not, no, I
3 don't --

4 MR. WHITE: What we are trying to explore is
5 and I jumped ahead of myself a little bit, what we are
6 trying to explore is the possibility of not just you,
7 but any one having to navigate without the buoys here,
8 what could be a feasible alternative to the use of the
9 buoys?

10 CAPTAIN MCKENNA: I don't, I don't know.

11 MR. WHITE: Okay. But, just so that I
12 understand, what you were doing was navigating close to
13 the, parallel to the shoreline, and then major turn
14 based on your visual and radar perception of where --

15 CAPTAIN MCKENNA: Shore references.

16 MR. WHITE: Did you have any particular
17 bearing you wanted to come in on?

18 CAPTAIN MCKENNA: No.

19 MR. WHITE: The human eye so to speak, then.

20 CAPTAIN MCKENNA: Yes.

21 MR. WHITE: Okay. Sorry, to get off the
22 track.

23 MR. RUSSO: Can I just ask something? How
24 many times did you come into this dock?

25 CAPTAIN MCKENNA: Four times a day, maybe.

1 MR. RUSSO: Four times a day, for how long?

2 CAPTAIN MCKENNA: Since I have started with
3 the company, since September.

4 MR. WHITE: As you were coming from 17, you
5 said that the mate was Shaun -- right?

6 CAPTAIN MCKENNA: Yes.

7 MR. WHITE: Was on the helm?

8 CAPTAIN MCKENNA: Yes.

9 MR. WHITE: Okay. Was he on the helm when
10 the passenger, Mr. Theis(ph) came in and said, I don't
11 feel good, I need some help?

12 CAPTAIN MCKENNA: Yes.

13 MR. WHITE: So, who did the evaluation of him
14 as far as looking at him and talking with him, figuring
15 out whether he needed --

16 CAPTAIN MCKENNA: I did.

17 MR. WHITE: Okay. Was anybody else on the
18 bridge besides you and Shaun?

19 CAPTAIN MCKENNA: Tony Castrillo, the
20 company's accountant.

21 MR. WHITE: Did he participate in that at all?

22 CAPTAIN MCKENNA: No.

23 MR. WHITE: When, he described to you, I think
24 you mentioned that Shaun called the Coast Guard.

25 CAPTAIN MCKENNA: Yes.

1 MR. WHITE: That is because he was at the helm
2 and had the microphone right there.

3 CAPTAIN MCKENNA: Yes.

4 MR. WHITE: Was that before or after the 17
5 buoy?

6 CAPTAIN MCKENNA: Well before.

7 MR. WHITE: Where after the 17 buoy did you
8 take over the helm?

9 CAPTAIN MCKENNA: Just before, before the turn
10 was made to port.

11 MR. WHITE: Okay. So, he basically brought
12 it all the way down, and just before the Highlands,
13 when you took it and made the turn.

14 CAPTAIN MCKENNA: Yes.

15 MR. WHITE: Any particular reason you took it
16 as opposed him continuing onward?

17 CAPTAIN MCKENNA: More experience.

18 MR. WHITE: Okay.

19 CAPTAIN MCKENNA: Probably.

20 MR. WHITE: Okay. Is it normal, does he, do
21 you sometimes allow --

22 CAPTAIN MCKENNA: Yes.

23 MR. WHITE: -- him to make the dock.

24 CAPTAIN MCKENNA: To dock the vessel.

25 MR. WHITE: What was your decision process in

1 telling him I have got it, I will take it in?

2 CAPTAIN MCKENNA: The ice.

3 MR. WHITE: Okay. Were you, as you came down
4 and made the turn to port, were you looking for the
5 buoys?

6 CAPTAIN MCKENNA: Yes.

7 MR. WHITE: Were you surprised that you didn't
8 see them?

9 CAPTAIN MCKENNA: Yes.

10 MR. WHITE: Had you ever encountered --

11 MR. RUSSO: There had been -- also, correct?

12 CAPTAIN MCKENNA: Yes.

13 MR. WHITE: Did you look for them?

14 CAPTAIN MCKENNA: Visually, you are looking
15 right out the window as you go.

16 MR. WHITE: Sure, but you couldn't see any of
17 them, obviously on radar or on, even all the way down.

18 CAPTAIN MCKENNA: No.

19 MR. WHITE: From 17 all the way down.

20 CAPTAIN MCKENNA: No.

21 MR. WHITE: Okay. Have you ever made an
22 approach into there without those buoys out? Were
23 those buoys completely masked or gone or whatever?

24 CAPTAIN MCKENNA: No.

25 MR. WHITE: Okay. How many times have you

1 made an approach in there with ice on, with ice?

2 CAPTAIN MCKENNA: I don't have an exact
3 number.

4 MR. WHITE: Let me back up then to see if we
5 can work through it.

6 How long had the ice been in coming up out of
7 the river this year or in --

8 CAPTAIN MCKENNA: Two weeks, I believe.

9 MR. WHITE: Okay. So you had been running in
10 and out of the ice for, basically since Christmas.

11 CAPTAIN MCKENNA: Yes. Since the ice showed
12 up, we went down to one boat service and continued the
13 run.

14 MR. WHITE: Okay. But, every time you made
15 the approach in the ice before, the buoys had always
16 been visible?

17 CAPTAIN MCKENNA: Most of the buoys.

18 MR. WHITE: At least some --

19 CAPTAIN MCKENNA: There was always something
20 to pick up.

21 MR. WHITE: Right. Shaun mentioned that at one
22 point he went out on the starboard wing.

23 CAPTAIN MCKENNA: Yes.

24 MR. WHITE: Okay. Did you send him out
25 there?

1 CAPTAIN MCKENNA: Yes.

2 MR. WHITE: To do what?

3 CAPTAIN MCKENNA: As I parallel with the
4 shoreline, before making my turn to starboard, I
5 couldn't find them on radar or visually see them. I
6 asked him to step outside, and also take a look to see
7 if he could --

8 MR. WHITE: Did he report back to you?

9 CAPTAIN MCKENNA: Yes, he said he couldn't see
10 them, at which time we began to slow down and slowly
11 turn to starboard.

12 MR. WHITE: Okay. Let's talk about speed for
13 a moment.

14 CAPTAIN MCKENNA: Okay.

15 MR. WHITE: Normal speed coming down from 17
16 down towards the Highlands out of the ice?

17 CAPTAIN MCKENNA: Anywhere from 34 to 38
18 knots.

19 MR. WHITE: Okay. So, you were still up to
20 speed coming down towards the Highlands?

21 CAPTAIN MCKENNA: Yes.

22 MR. WHITE: Okay. When did you slow down
23 from there?

24 CAPTAIN MCKENNA: Once we entered the ice, we
25 slowed down just to entering the ice and then continued

1 to slow down as I approached the Highlands and then
2 slowed down considerable as I made my turn, as not to,
3 be at speed as we entered the marina area.

4 MR. WHITE: Okay. When you made your turn,
5 at the breakwater, when you made your turn to the east,
6 before turn.

7 CAPTAIN MCKENNA: Yes.

8 MR. WHITE: Did you slow down just because of
9 the ice in the turn or did you bring the stick back
10 also?

11 CAPTAIN MCKENNA: Oh, you slow down, it is not
12 to hit the ice full force.

13 MR. WHITE: Okay. Well, that is what --

14 CAPTAIN MCKENNA: No, no, I slowed the vessel
15 down.

16 MR. WHITE: Okay. Do you have idea, concept
17 of what the, what was showing for speed as you were in
18 the ice, approaching where the buoy should have been?

19 CAPTAIN MCKENNA: Twenty four to 27.

20 MR. RUSSO: Is that because you noticed that
21 or did you --

22 CAPTAIN MCKENNA: I noticed it.

23 MR. RUSSO: You noticed the -- okay.

24 MR. WHITE: And that would have been from the
25 marina on the, on the --

1 CAPTAIN MCKENNA: On the radar we have --

2 MR. WHITE: The radar, that is right, from the
3 radar you get that speed.

4 When did you slow down below the 24, 27?

5 CAPTAIN MCKENNA: I gradually continued to
6 slow as I approached the channel for the Shrewsbury
7 River.

8 MR. WHITE: When you started the turn, to
9 starboard now, towards the marina?

10 CAPTAIN MCKENNA: Yes.

11 MR. WHITE: What is, do you have a concept of
12 what speed you were doing at that time?

13 CAPTAIN MCKENNA: Approximately 10 knots.

14 MR. WHITE: Was that from looking at the radar
15 or just that is what it felt like?

16 CAPTAIN MCKENNA: The radar.

17 MR. WHITE: Okay. And just sort of, I think
18 you described to me earlier, just as you completed the
19 turn.

20 CAPTAIN MCKENNA: We continued on a little.

21 MR. WHITE: Okay. You had completed the
22 turn.

23 CAPTAIN MCKENNA: Yes.

24 MR. WHITE: And then continued a little bit
25 and then came to a gradual stop.

1 CAPTAIN MCKENNA: Came to a gradual stop.

2 MR. WHITE: I am just, to confirm the
3 generators were shut down.

4 CAPTAIN MCKENNA: Yes.

5 MR. WHITE: Okay. Okay. How about describe
6 to me afterwards now.

7 Okay. You were aground, you recognized you
8 were aground now, and not just in the ice. And by the
9 way, for what it is worth, the Coast Guard had the same
10 sort of experience. Hears ice breaking, broke some of
11 the ice, came up, thought he was breaking some more
12 ice, and came to a stop, and all of a sudden his brough
13 wasn't coming down. You know, that sand bottom there,
14 he had the same sort of experience.

15 But, now that you are aground, what
16 transpired there?

17 CAPTAIN MCKENNA: I contacted Coast Guard from
18 Sandy Hook, notified them that we were aground, that we
19 still had the passenger onboard who was seeking medical
20 attention, asked if they could send assistance, at
21 which time they said they would dispatch a boat and
22 attempt to get the passenger medical attention.

23 I also contacted my company, let them know
24 that I wouldn't be in the next run and that we were
25 aground.

1 Notified the passengers that were not just
2 stuck in ice, that we had grounded and that the Coast
3 Guard had been notified.

4 The engineers brought the generator back up
5 on line, which apparently sucked in sand shut
6 themselves down again. They brought it back on line,
7 with apparently a hose and a bucket, which --

8 MR. WHITE: ^{Jerry}~~Gerry~~ ring, yes.

9 CAPTAIN MCKENNA: Somehow they got it back on
10 line.

11 MR. WHITE: Yes. That was described that to
12 us.

13 CAPTAIN MCKENNA: I gave the order that
14 everybody got free snacks, because we don't carry a
15 full galley.

16 The Coast Guard notified us that they were
17 going to have two helicopters attempt to come up, also
18 asked what the passenger's state was in, which at this
19 time was brought to the wheel house for the rack that
20 we do have.

21 Went back and forth on the radio and on the
22 phone with, from Sandy Hook, activities New York, NYPD
23 area which was eventually dispatched to bring a medic
24 out to the vessel. And also with our, our company.
25 And that is I guess when the news media started circle.

1 The air unit showed up. Medic came onboard, accessed
2 Mr. Theis, had a basket load, removed him. We
3 explained to the passengers, because by this time we
4 were notified by the Coast Guard that they were not
5 going to try to remove anybody else from the vessel,
6 that they were requesting that we ride the tide out.
7 We had little TVs on and the heat, and they felt that
8 nobody was in danger. The vessel hadn't really moved.
9 In contact with the Coast Guard, we had also noted that
10 there were a few passengers who had, apparently had too
11 much to drink, so, we made a determination with the
12 company representative onboard that we would stop
13 selling alcohol at this point.

14 MR. WHITE: The company representative onboard
15 being the accountant?

16 CAPTAIN MCKENNA: Tony Castrillo.

17 MR. WHITE: Okay.

18 CAPTAIN MCKENNA: Who was in contact with the
19 president of the company and at his say so, the alcohol
20 was stopped being sold.

21 At which time there was an assist tug from
22 the marina that attempted to come along side and get a
23 line on, which eventually came along side, but at which
24 time we were already two hours into the low tide. We
25 had the engineers and boards all ready, back and forth,

1 checking for leaks, topping off water, and whatever
2 they had in the engine room going on as far as
3 generator. We let the Coast Guard know that we were
4 going to attempt to back, at which time I backed and
5 the boat began to move slowly. We continued to slowly
6 back, we went back into starboard, and I continued to
7 back. Once we got back considerably, back into the
8 Bay, I was in contact with the cutter line that had
9 broken in the channel out, and had the outer most
10 number two fully visible. Which they then suggested
11 that we come along on a one whistle course, parallel
12 with them and continue on into the channel, which we
13 did. Docked the vessel port side two, at the marina.
14 The passengers off loaded and at the same time the
15 Coast Guard was apparently on the dock waiting. And
16 that is when I gave my statement to Lieutenant [DONNA]
17 Leossie(ph) and then they had Group Sandy Hook board
18 and do a Breathalyzer. And we were sent for a drug
19 screening.

20 MR. WHITE: When you notified the company, how
21 did you notify the company after you were initially
22 grounded?

23 CAPTAIN MCKENNA: Inter ops radio.

24 MR. WHITE: Okay. To --

25 CAPTAIN MCKENNA: Our port captain who was on

1 the dock.

2 MR. WHITE: Who was on the dock.

3 CAPTAIN MCKENNA: Yes. Who we had already
4 notified, you know, that we had the medical problem.

5 MR. WHITE: The medical problem.

6 CAPTAIN MCKENNA: Yes.

7 MR. WHITE: And he mentioned that is why he
8 initially, does he normally come down to the dock and
9 meet you?

10 CAPTAIN MCKENNA: They do sometimes have a
11 company rep, as far as somebody will sell tickets or
12 just general off loading, "hi, how are you."

13 MR. WHITE: When you first ran aground and you
14 notified the Coast Guard and then you said you notified
15 the passengers. How did you notify the passengers?

16 CAPTAIN MCKENNA: Well, first we had only
17 notified the company, because we had thought it was
18 ice. We attempted to back, were unable to back. Once
19 we made the call to the Coast Guard, the engineers had
20 brought the generators back on line. We got all of our
21 systems back up. I made an announcement over the PA
22 system, we also had the company representative onboard
23 at the time, walking around the boat, with the deck
24 hand. Also tried to, I guess, calm passengers and
25 explained to them what our situation was as far as, you

1 know, we were temporarily stuck and we were making
2 efforts to have the boat off the sand.

3 MR. WHITE: Okay. Any problems with the
4 passengers as far as control of them?

5 CAPTAIN MCKENNA: No, no control problem, no.

6 MR. WHITE: Okay. Whose decision was it to
7 stop serving alcohol?

8 CAPTAIN MCKENNA: I believe --

9 MR. WHITE: Who initiated it, I guess?

10 CAPTAIN MCKENNA: Well, after passengers were
11 sitting there for a couple of hours, there was
12 passenger who repeatedly came to the wheel house door,
13 while the company representative was there, which he
14 also relayed to the company, which, you know, what
15 should we do, what should we do. The overall decision,
16 to stop serving alcohol was mine. Once the company was
17 questioned, they said, well, what does Ed feel, at
18 which time I said, you know, we can continue to give
19 away the snacks, but we weren't selling any more
20 alcohol.

21 MR. WHITE: Good choice. Background is in
22 Coast Guard Search and Rescue --

23 CAPTAIN MCKENNA: Which was our reasoning.

24 MR. WHITE: And that is the last thing you
25 want to do is have a bunch of drunks doing it. So,

1 that is a real good choice.

2 Okay. When did you, did you know what the
3 tide was?

4 CAPTAIN MCKENNA: I knew the tide was, at the
5 initial time of the grounding, I knew we had, I believe
6 two hours to the ebb tide. So, I knew we had at least
7 three, three and a half hours of time that we were
8 going to be sitting still, if no assist vessel could,
9 the Coast Guard said that they were not attempt to
10 assist us as far as pulling us off the sand.

11 MR. WHITE: Okay. So, you pretty were
12 anticipating that once the flood tide came back in.

13 CAPTAIN MCKENNA: The vessel would float and
14 we would back.

15 MR. WHITE: Is that what happened?

16 CAPTAIN MCKENNA: Yes.

17 MR. WHITE: Okay. As you were coming down
18 from buoy 17, was the ice fairly solid up against the
19 boat?

20 CAPTAIN MCKENNA: Not after the tip, no.
21 Inland, I believe, so.

22 MR. WHITE: But, by basically going straight
23 from 17 to the Highlands Breakwater, you were staying
24 to the west of the edge of the ice?

25 CAPTAIN MCKENNA: Yes.

1 MR. WHITE: Okay. We talked about what you
2 used to trigger your turn to starboard toward the
3 marina. How about as far as what triggered your turn
4 to port as you were coming down from 17, as you
5 approached the Highlands, was there any particular?

6 CAPTAIN MCKENNA: My distance off the
7 breakwater and the visible land mark on radar.

8 MR. WHITE: But, you didn't decide one mile I
9 am going to turn off or one and a half miles I am going
10 to turn to port or something like that?

11 CAPTAIN MCKENNA: No.

12 MR. WHITE: Okay. -- the passenger, Mr.
13 Theis was, at some point was taken off the bridge.

14 CAPTAIN MCKENNA: To the stern of the vessel.

15 MR. WHITE: To the stern. That was before
16 you, before or after the grounding?

17 CAPTAIN MCKENNA: Before.

18 MR. WHITE: Okay. So, at that, were there
19 any other distractions on the bridge at that point in
20 time?

21 CAPTAIN MCKENNA: No.

22 MR. WHITE: Okay. As you were initially
23 trying to maneuver to get off the sandbar, right after
24 you initially grounded and didn't recognize you were on
25 the ground, what were you trying to do? What actions

1 did you take trying to get off?

2 CAPTAIN MCKENNA: I tried to back the vessel
3 in the reciprocal course of where we had went in.

4 MR. WHITE: Just a straight back.

5 CAPTAIN MCKENNA: Just a straight back.

6 MR. WHITE: Did the vessel not move, did it
7 rotate when you did that?

8 CAPTAIN MCKENNA: It did not move.

9 MR. WHITE: Okay. You ran aground both
10 holes, port ^{hull} hole, starboard ^{hull} hole.

11 CAPTAIN MCKENNA: It appeared to be the port
12 ^{hull} hole had, had sand. At the time the starboard did not.

13 MR. WHITE: Did you feel like the starboard
14 ever actually came aground as the tide continued to go
15 out or did you just start to develop any kind of a
16 ^tlisp?

17 CAPTAIN MCKENNA: No, ^tlisp, no. Just sat
18 stationary.

19 MR. WHITE: A couple of things were given to
20 us by the company, I just want to see if, you know, if
21 you are familiar with them.

22 One, is we were given a copy of the operating
23 manual. Do you ever, are you familiar with this at
24 all?

25 CAPTAIN MCKENNA: No.

1 MR. RUSSO: What was the answer to that?

2 CAPTAIN MCKENNA: No.

3 MR. WHITE: No.

4 What do you use for a guide as far as the,
5 you know, for knowing about the book?

6 CAPTAIN MCKENNA: There is no guide as far as,
7 it is all on the job training once you start.

8 MR. WHITE: So, it is just a matter of, if you
9 have got a question about it, if you don't know it, you
10 ask one of the engineers, perhaps?

11 CAPTAIN MCKENNA: Yes. As far as operation,
12 mechanical operation, I would ask an engineer.

13 MR. WHITE: Okay. Does the company have any
14 kind of policy about ice operations?

15 CAPTAIN MCKENNA: Not that I am aware of, no.

16 MR. WHITE: Okay. Who did your training as
17 far as teaching you how to handle the jet boats? The
18 jets, the peculiarities, if you will.

19 CAPTAIN MCKENNA: Captain Tommy Ralph.

20 MR. WHITE: Okay. Had anyone mentioned to
21 you or talked to you as part of that training, to slow
22 down on the ice or any peculiarities about the vessel
23 handling in ice or limitations?

24 CAPTAIN MCKENNA: There had been mention the
25 year before that, you know, we occasionally get ice,

1 and we just go straight through it. The boat is
2 apparently capable to take --

3 MR. WHITE: Okay.

4 CAPTAIN MCKENNA: -- Take the ice.

5 MR. WHITE: But, no restrictions that you are
6 aware of as far as thickness of the ice?

7 CAPTAIN MCKENNA: No.

8 MR. WHITE: Okay. Just to make sure I
9 understand you previously, this would have been then
10 your first winter operating as captain in the ice?

11 CAPTAIN MCKENNA: As captain, yes.

12 MR. WHITE: Yes.

13 The manual that was given to us by the
14 company, was something that had been developed by a
15 committee here in the harbor, as far as fast ferry
16 operations go.

17 CAPTAIN MCKENNA: Okay.

18 MR. WHITE: Have you ever seen it before?

19 MR. RUSSO: What is the name of that document?

20 MR. WHITE: It is the Training Program for
21 Operations --

22 CAPTAIN MCKENNA: No, I haven't.

23 MR. WHITE: Okay. Do you know, as you
24 trained under Captain --

25 CAPTAIN MCKENNA: Ralph.

1 MR. WHITE: Ralph. Did he keep track or do
2 any evaluation of you in writing?

3 CAPTAIN MCKENNA: In writing, no, I don't
4 believe so.

5 MR. WHITE: Okay. What, when did you get
6 your master license?

7 CAPTAIN MCKENNA: 1997.

8 MR. WHITE: Okay. So, you had that prior to
9 coming to --

10 CAPTAIN MCKENNA: Yes.

11 MR. WHITE: Okay. Was there any kind of a,
12 to use an aircraft term, a check ride or anything done
13 for you as far as, how did they designate you or accept
14 you as a captain?

15 CAPTAIN MCKENNA: The port captain rode
16 several times with me for a check off ride.

17 MR. WHITE: Okay. Do you have to do any kind
18 of a written exam or anything of that sort?

19 CAPTAIN MCKENNA: No.

20 MR. WHITE: Did you have demonstrate any kind
21 of systems knowledge?

22 CAPTAIN MCKENNA: Just day to day procedure.

23 MR. WHITE: Okay. How long did it take you
24 to get used to the different type of control systems?
25 The single stick control?

1 CAPTAIN MCKENNA: Three months.

2 MR. WHITE: Operating as the mate.

3 CAPTAIN MCKENNA: Yes.

4 MR. WHITE: What do you think you could have
5 done differently to have avoided running aground,
6 coming out of the channel? Assuming again no buoys are
7 there?

8 (Pause.)

9 CAPTAIN MCKENNA: I, I am --

10 MR. WHITE: You know, let's say when you go
11 back to work, when do you next work?

12 CAPTAIN MCKENNA: Thursday.

13 MR. WHITE: Thursday.

14 When you go back to work Thursday, and you
15 are going to come back in there again, and there is not
16 going to be any buoys there again, you know, saying the
17 warm weather, I doubt that is going to happen, but,
18 let's say there were no buoys there.

19 MR. RUSSO: And there is ice there.

20 MR. WHITE: Yes, and there is ice. The same
21 conditions you encountered, okay, and again, please
22 remember I am not here to judge and fault, okay. We
23 are here to look at ways to make things better. You
24 know, what could you do different, what would you
25 recommend to other skippers to do differently, to, you

1 know, so that they won't go beyond the channel or they
2 can stay in the channel?

3 CAPTAIN MCKENNA: Have the Coast Guard keep
4 the channel open, break the ice, which they did the
5 season before.

6 MR. WHITE: But, doesn't the, doesn't that
7 track shift with every tide, I mean, between when the
8 tide, when it is flooding, and then it is ebbing, that
9 track is going to be broken, is going to travel away,
10 or the ice will come back in with the flood?

11 CAPTAIN MCKENNA: That is possible.

12 MR. WHITE: So, I am thinking now more, what
13 you can do just in house, what could you do in house,
14 the same conditions, you are coming in, you have got
15 passengers, you want to get to the marina, and there is
16 no buoys showing?

17 CAPTAIN MCKENNA: Secondary landing site, like
18 our competitor.

19 MR. WHITE: Okay. But, do you think there is
20 any way to figure out how to navigate into that
21 channel?

22 MR. RUSSO: Differently than what he did.

23 MR. WHITE: Well, I mean, or the same that he
24 did and turn earlier, you know, if you have some kind
25 of bearing. Again, we are trying to, you know, let me

1 give a suggestion. What I am aiming at is, perhaps if
2 you know how far off the shore you are, you know what
3 the bearing is from 17 to 2, and that lines right up
4 with the channel.

5 CAPTAIN MCKENNA: Right.

6 MR. WHITE: If you knew what course that is
7 that you tracked down there, come to that same bearing,
8 on radar and that land mask, and know that you have to
9 be turned on to the course by that bearing, for
10 instance.

11 CAPTAIN MCKENNA: Right.

12 MR. WHITE: By that radar bearing, would that
13 work?

14 CAPTAIN MCKENNA: Possibly.

15 MR. WHITE: But, you would obviously need to
16 know that bearing beforehand?

17 CAPTAIN MCKENNA: Beforehand, yes.

18 MR. WHITE: Okay. And that is what I was
19 getting at, I got a little bit ahead of myself as far
20 as knowing if you don't want to get any closer to the
21 land mask ahead of you, before you make the turn, then,
22 such and such a distance. That frankly came from the
23 Coast Guard -- he said that is typically the way I
24 would do it.

25 CAPTAIN MCKENNA: Okay.

1 MR. WHITE: Using a VRM, and just put it out
2 that far and when the VRM cites the shore, I had better
3 be turned. Can you think of any other way it might be
4 done?

5 CAPTAIN MCKENNA: No, not off the top of my
6 head, no, I can't.

7 MR. WHITE: Suppose the generators were
8 running so that you could still keep the chart plotter
9 up, is the chart plotter accurate enough to where you
10 can watch the chart plotter and be able to know that,
11 hey, there is -- Is there a track on the chart plotter?

12 CAPTAIN MCKENNA: Yes.

13 MR. WHITE: So, as you approach that track,
14 you know you have got to turn.

15 CAPTAIN MCKENNA: You have an idea, you have
16 to make your turn.

17 MR. WHITE: Yes. Again, like I say, you know,
18 please understand, I am not looking, I am looking for a
19 way to solve the problem, okay, as I explore this with
20 you. And you were the one that was there, you know,
21 so, and if you had to do it again, how could we avoid
22 it?

23 MR. RUSSO: Are you asking about the chart
24 plotter?

25 MR. WHITE: No, I am just the overall

1 procedure as far as knowing when to turn to starboard,
2 when to turn to starboard to stay in the channel as you
3 come in.

4 CAPTAIN MCKENNA: Possibly if there was some
5 sort of range to line up on.

6 MR. WHITE: Do you know if there has ever been
7 a range there?

8 MR. RUSSO: That is a good point.

9 CAPTAIN MCKENNA: I don't believe so.

10 MR. WHITE: Okay. The last thing I would
11 like to work through, if we could, is what your
12 activities were, what we call the 72 hour profile.
13 What your activities were for a couple of days before.
14 Okay. This was a Thursday, you know, you came to work
15 at 4:30, what about Wednesday, were you working
16 Wednesday?

17 CAPTAIN MCKENNA: No, I had been off a week
18 prior.

19 MR. WHITE: So, this was your first day back.

20 CAPTAIN MCKENNA: First day back.

21 MR. WHITE: What did you do on Wednesday?

22 CAPTAIN MCKENNA: Just more or less sat around
23 the house with my children.

24 MR. WHITE: Do you know what time you went to
25 bed that night, Wednesday night?

1 CAPTAIN MCKENNA: Nine-thirty.

2 MR. WHITE: Is that your normal?

3 CAPTAIN MCKENNA: When I have to get up to
4 work, yes.

5 MR. WHITE: Okay.

6 CAPTAIN MCKENNA: Two small children.

7 MR. WHITE: I was going to say how old are
8 your kids and how effective is going to bed at 9:30?

9 CAPTAIN MCKENNA: They are in bed by 8:30.

10 MR. WHITE: Okay. Any disruptions that
11 night, kids wake up or anything of that sort?

12 CAPTAIN MCKENNA: No.

13 MR. WHITE: This is getting a little bit
14 personal, but our Human Resources folks want us to do
15 it. Any fights with your wife that day?

16 CAPTAIN MCKENNA: Nope.

17 MR. WHITE: Did you eat anything when you got
18 up in the morning, Thursday morning, as far as
19 breakfast goes?

20 CAPTAIN MCKENNA: At work.

21 MR. WHITE: What?

22 CAPTAIN MCKENNA: Corn muffin and coffee.

23 MR. WHITE: Is that something they typically
24 have available there?

25 CAPTAIN MCKENNA: Yes, what they stock galley

1 wise, pastries and rolls.

2 MR. WHITE: How about dinner the night before,
3 on Wednesday?

4 CAPTAIN MCKENNA: I had --

5 MR. WHITE: Did you have dinner, let's start
6 with that?

7 CAPTAIN MCKENNA: Definitely I did. Of
8 course, I had dinner.

9 MR. WHITE: Maybe I should ask you wife what
10 she fixed? Did you eat at home or did you eat out?

11 CAPTAIN MCKENNA: At home. No, at home. I am
12 not 100 percent sure what I ate, dinner wise.

13 MR. WHITE: Okay. Any strenuous activity
14 that day, Wednesday?

15 CAPTAIN MCKENNA: No.

16 MR. WHITE: Okay. How about Tuesday, the day
17 before that? Now, we are really starting to dig into
18 your memory. Normal day around the house?

19 CAPTAIN MCKENNA: Yes. Nothing out of the
20 ordinary, no. I got my son off to school in the
21 morning, played with my daughter. That was pretty much
22 it.

23 MR. WHITE: You weren't working any second job
24 or --

25 CAPTAIN MCKENNA: No.

1 MR. WHITE: Okay. I understand, in fact, we
2 asked you on the phone, you were in the Poconos the
3 weekends after this.

4 CAPTAIN MCKENNA: Yes.

5 MR. WHITE: Okay. Was that a family
6 vacation?

7 CAPTAIN MCKENNA: Yes, instead of buying
8 Christmas gifts, we just all went away, ski vacation.

9 MR. WHITE: Okay. Any preparations for that
10 on Tuesday or Wednesday?

11 CAPTAIN MCKENNA: No.

12 MR. WHITE: Again, normal day on Tuesday, as
13 far as not disrupted Tuesday night by the kids?

14 CAPTAIN MCKENNA: No.

15 MR. WHITE: What time do you normally go bed
16 when you don't have to work the next day?

17 CAPTAIN MCKENNA: By 10:30.

18 MR. WHITE: So much for the late show.

19 CAPTAIN MCKENNA: I actually don't even watch
20 TV some nights.

21 MR. WHITE: -- necessarily about that.

22 (Pause.)

23 MR. WHITE: Any significant events in your
24 life in the last week, emotional events, anything, you
25 know, somebody getting sick?

1 CAPTAIN MCKENNA: No.

2 MR. WHITE: Other than the typical discussions
3 you might have with your wife.

4 CAPTAIN MCKENNA: No.

5 MR. WHITE: Okay. Depthometer on the boat.

6 CAPTAIN MCKENNA: Doesn't have one.

7 MR. WHITE: So, you have no idea what the
8 depth of the water is underneath you.

9 CAPTAIN MCKENNA: No, correct.

10 MR. RUSSO: Well, if he doesn't have a
11 depthometer that doesn't mean he doesn't have any idea
12 what the water is underneath him.

13 MR. WHITE: Other than from the chart.

14 MR. RUSSO: Okay. Right, right.

15 MR. WHITE: Going back to, you taking the con
16 back from Shaun, had there been no ice, would he have
17 normally docked the vessel?

18 CAPTAIN MCKENNA: No. At night I tend to, in
19 the Highlands, I tend to dock the vessel.

20 MR. WHITE: Okay. That is about it.

21 Is there anything else you would like to add
22 that we haven't covered?

23 CAPTAIN MCKENNA: I don't have anything, no.

24 MR. WHITE: Again, let me reiterate, you know,
25 our whole purpose is, you know, this was, you know,

1 obviously not a major accident where there is no
2 damage, no injuries as a result of this, our interest
3 in it, from the NTSB standpoint, is it a large
4 passenger vessel, there have been problems with them in
5 the past. And the initial report was that they went
6 aground. We decided to come up even after it was
7 discovered there was no damage, just, we wanted to see
8 how things were done right as far as passengers
9 withdrawal and things of that sort.

10 CAPTAIN MCKENNA: Yes.

11 MR. WHITE: So, that is why we are here.

12 CAPTAIN MCKENNA: Okay.

13 MR. WHITE: Just hopefully that will set your
14 mind at ease a little bit. But, the bottom line is
15 that is what we looking to explore.

16 MR. RUSSO: Ted, just one question I had, you
17 mentioned the Coast Guard had had a similar grounding,
18 similar --

19 MR. WHITE: Well, what the Coast Guard did,
20 the Coast Guard's 47 footer, as it was making an
21 approach to here, came in very slowly towards him, and
22 he was, he described very much what you did, slowing
23 down because of the ice, and then actually put his
24 bough up onto the sand. Recognized he did that, backed
25 off, again as he was trying to make the approach to

1 the -- At that point, the buoy had popped back up
2 again, by the time he came back, by the time he came
3 through with the 47.

4 CAPTAIN MCKENNA: Okay.

5 MR. WHITE: When did you first see the buoys
6 after you were aground?

7 CAPTAIN MCKENNA: Approximately an hour after
8 we were aground, we saw the one pop up.

9 MR. WHITE: Which one?

10 CAPTAIN MCKENNA: The number three.

11 MR. WHITE: Three, okay. That is right, you
12 told me that before.

13 Did you ever see the number two?

14 CAPTAIN MCKENNA: No.

15 MR. WHITE: Not even after the line came back
16 and --

17 CAPTAIN MCKENNA: After we backed off, I
18 continued to back off --

19 (Tape ended.)

20 MR. WHITE: We changed the tape. And we will
21 ask --

22 MR. RUSSO: We would like to have an
23 opportunity to comment on whatever, you know, before
24 the report is published.

25 MR. WHITE: I understand.

1 MR. RUSSO: Hopefully, we will be in total
2 agreement with you.

3 MR. WHITE: There is nothing, and you know,
4 there is certainly nothing that you have come up with
5 that was wrong. There is nothing that you have come up
6 with that --

7 (Tape ended.)

1
2
3 REPORTER'S CERTIFICATE
4

5 This is to certify that the attached
6 proceedings before: NTSB
7

8 In the Matter of:

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10
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12 were held as herein appears and that this is the
13 original transcript thereof for the file of the
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15 or the Agency.

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